

DECLARATION OF OIL AND GAS NOTICE

(Tax Map 16, Sand Hill District, Marshall County, West Virginia)

The undersigned hereby declares:

(1) The undersigned is the owner (or lessee) of one or more coal seams or workable coal beds as those terms are defined in Section One, Article Six, Chapter Twenty-two (Section 22-6-1) of the Code of West Virginia.

(2) The coal seam(s) or workable coal bed(s) owned or leased partly or wholly by the undersigned lies under the surface of lands described in the Exhibit A attached hereto and made a part hereof.

(3) The undersigned desires to be given all notices of oil and gas operations provided by Sections Twelve, Thirteen, Fourteen, Twenty-three and Thirty-six of Article Six, Chapter Twenty-two (Sections 22-6-12; 22-6-13; 22-6-14; 22-6-23; and 22-6-36) of the Code of West Virginia, addressed as follows:

CONRHEIN COAL COMPANY

CONSOLIDATION COAL COMPANY

CONSOL PENNSYLVANIA COAL COMPANY LLC

McELROY COAL COMPANY

RESERVE COAL PROPERTIES COMPANY

CNX LAND RESOURCES INC.

**C/O LEATHERWOOD, INC.
1000 CONSOL ENERGY DRIVE
CANONSBURG, PA 15317-6506**

IN WITNESS WHEREOF, Conrhein Coal Company, a Pennsylvania corporation, has caused its corporate name to be subscribed hereto this 4 day of NOVEMBER, 2008, by D. R. MCCracken, its ASST. MANAGER, by authority duly given.


JAN FEST
MARSHALL County 01:15:54 PM
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Date Recorded 12/19/2008
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Book-Page 675-254
Recording Fee \$7.00
Additional \$6.00

CONRHEIN COAL COMPANY
a Pennsylvania corporation:

By: [Signature]
Its: ASSISTANT MANAGER


IN WITNESS WHEREOF, Consolidation Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 4 day of NOVEMBER, 2008, by ROBERT P. KING, its VICE PRESIDENT, by authority duly given.

CONSOLIDATION COAL COMPANY
a Delaware corporation:

By: 
Its: VICE PRESIDENT

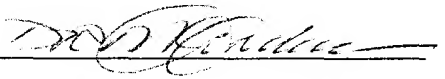
IN WITNESS WHEREOF, CONSOL Pennsylvania Coal Company LLC, a Delaware limited liability company, has caused its corporate name to be subscribed hereto this 4 day of NOVEMBER, 2008, by ROBERT P. KING, its VICE PRESIDENT, by authority duly given.

CONSOL PENNSYLVANIA COAL COMPANY LLC
a Delaware limited liability company:

By: 
Its: VICE PRESIDENT

IN WITNESS WHEREOF, Reserve Coal Properties Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 4 day of NOVEMBER, 2008, by D. R. LICCRACKEN, its VICE PRESIDENT, by authority duly given.

RESERVE COAL PROPERTIES COMPANY
a Delaware corporation:

By: 
Its: VICE PRESIDENT

IN WITNESS WHEREOF, McElroy Coal Company, a Delaware corporation, has caused its corporate name to be subscribed hereto this 4¹⁷ day of NOVEMBER, 2008, by CHARLES T. SHAYMAK, its VICE PRESIDENT, by authority duly given.

MCELROY COAL COMPANY
a Delaware corporation:

By: Charles T. Shaymak
Its: VICE PRESIDENT

IN WITNESS WHEREOF, CNX Land Resources Inc., a Delaware corporation, has caused its corporate name to be subscribed hereto this 4 day of NOVEMBER, 2008, by D. P. LICCRACKEN, its VICE PRESIDENT, by authority duly given.

CNX LAND RESOURCES INC.
a Delaware corporation:

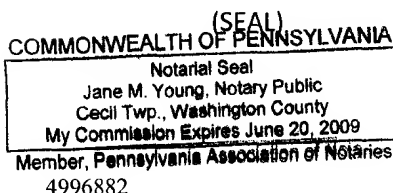
By: D. P. Liccracken
Its: VICE PRESIDENT

NOTE: PLEASE PROPERLY INDEX THIS DOCUMENT (1) UNDER CONSOLIDATION COAL COMPANY, CONSOL PENNSYLVANIA COAL COMPANY, RESERVE COAL PROPERTIES COMPANY, CONRHEIN COAL COMPANY, MCELROY COAL COMPANY, AND CNX LAND RESOURCES INC. AS A GRANTOR, AND (2) UNDER THE NAMES OF EACH OF THE INDIVIDUAL SURFACE OWNER NAMES LISTED ON THE ATTACHED EXHIBIT A AS GRANTORS, ACCORDING TO LAST NAME AND/OR ENTITY NAME.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. P. LICCRACKEN, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the ASST. MANAGER of CONRHEIN COAL COMPANY, a PENNSYLVANIA corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 4 day of NOVEMBER, 2008.

Jane M. Young
Notary Public



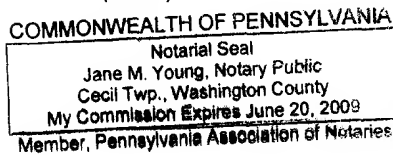
My Commission expires JUNE 20, 2009

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KIRK, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOLIDATION COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 4 day of NOVEMBER, 2008.

(SEAL)



Jane M. Young
Notary Public

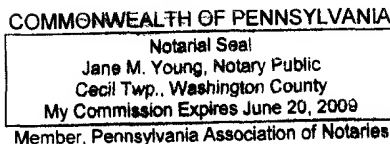
My Commission expires JUNE 20, 2009

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared ROBERT P. KIRK, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CONSOL PENNSYLVANIA COAL COMPANY LLC, a DELAWARE limited liability company, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 4 day of NOVEMBER, 2008.

(SEAL)



Jane M. Young
Notary Public

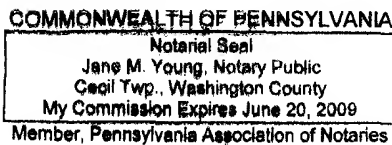
My Commission expires JUNE 20, 2009

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. R. LICORACCHI, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of RESERVE COAL PROPERTIES COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 4 day of NOVEMBER, 2008.

(SEAL)

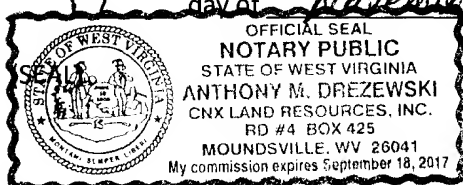


Jane M. Young
Notary Public

My Commission expires JUNE 20, 2009

STATE OF WEST VIRGINIA
~~COMMONWEALTH OF PENNSYLVANIA~~
 COUNTY OF MARSHALL

Before me, ANTHONY M. DREZEWSKI, a Notary Public, on this day personally appeared CHARLES T. SHAYNAK, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE-PRESIDENT of MCELROY COAL COMPANY, a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 17 day of NOVEMBER, 2008.



Anthony M. Drezevski
 Notary Public

My Commission expires SEPTEMBER 18, 2017

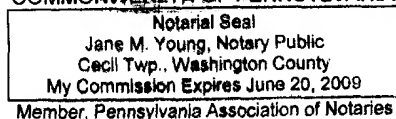
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF WASHINGTON

Before me, JANE M. YOUNG, a Notary Public, on this day personally appeared D. P. MICCACCIO, known to me to be the person whose name is subscribed to the foregoing instrument, and known to be the VICE PRESIDENT of CNX LAND RESOURCES INC., a DELAWARE corporation, and acknowledged to me that he executed said instrument for the purposes therein expressed as the act of said company. Given under my hand and seal of office this 4 day of NOVEMBER, 2008.

(SEAL)

COMMONWEALTH OF PENNSYLVANIA



Jane M. Young
 Notary Public

My Commission expires JUNE 20, 2009

This Document Prepared By:

J. Kevin Ellis
 WV Bar No. 9964
 Steptoe & Johnson PLLC
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 PO BOX 1616
 Morgantown, WV 26507
 (304) 598-8000

EXHIBIT A - SURFACE TRACTS (SHOEMAKER MINE)
Tax Map 16, Sand Hill District, Marshall County, West Virginia

| Tax Map | Parcel | Last Name | First Name | Street Address | City | State | Zip | Assessment Description | Reference |
|---------|--------|---------------------------------|----------------------------|---------------------------|-------------|-------|-------|---|-----------|
| 16 | 2 | Swartzel | Moses D. & Lila K. | RD 3 Box 167 | Wheeling | WV | 26003 | 15.54 A Wheeling Creek | 641/416 |
| 16 | 2.1 | Gibson | Coleen A. | RD 3 Box 167B | Wheeling | WV | 26003 | 3.556 Wheeling Creek | 647/224 |
| 16 | 2.2 | Chilak | William J. | RD 3 Box 167 | Wheeling | WV | 26003 | 42.12 A Wheeling Creek | 617/105 |
| 16 | 2.3 | Kupfer | Phillip A. | RD 3 Box 192 | Wheeling | WV | 26003 | 19.34 Wheeling Creek | 618/608 |
| 16 | 4 | King | Christopher I., et ux. | RD 3 Box 167A | Wheeling | WV | 26003 | 21.826 A Wheeling Creek 1970 Mobile Home | 612/162 |
| 16 | 5 | Gibson | Coleen A. | RD 3 Box 167B | Wheeling | WV | 26003 | 6.14 Wheeling Creek | 647/224 |
| 16 | 6 | Rine | Ellis V. | 727 Echo Valley | Glen Dale | WV | 26038 | 1/2 Acre Wheeling Creek | 373/75 |
| 16 | 7 | Terry | John G., II | 3745 Wetzel Street | Wheeling | WV | 26003 | 1.80 Grandstaff Run | 645/248 |
| 16 | 8 | Howard | Weldon M. | RR 3 Box 164 | Wheeling | WV | 26003 | 5.0 Viola | 600/530 |
| 16 | 9 | Howard | Weldon M. | RR 3 Box 164 | Wheeling | WV | 26003 | .41 Viola Camp | 600/530 |
| 16 | 10 | Howard | Weldon M. | RR 3 Box 164 | Wheeling | WV | 26003 | 1.75 A Viola | 619/17 |
| 16 | 11 | Howard | Weldon M. | RR 3 Box 164 | Wheeling | WV | 26003 | .57 Viola | 619/17 |
| 16 | 12 | Howard | Weldon M. | RR 3 Box 164 | Wheeling | WV | 26003 | 5.95 Wheeling Creek Mobile Home | 619/17 |
| 16 | 12.1 | Paczewski | Debra | 1008 Caldwell Street | McMechen | WV | 26040 | 1.6 A Wheeling Creek | 639/222 |
| 16 | 13 | North | Bonnie J. & George K. Gray | RR 6 Box 299A | Wheeling | WV | 26003 | 1 1/2 A Viola Camp | 648/254 |
| 16 | 14 | North | Bonnie J. & George K. Gray | RR 6 Box 299A | Wheeling | WV | 26003 | 1.04 A Viola | 648/254 |
| 16 | 15 | Newberry | Phillip E. | P.O. Box 732 | Belpre | OH | 45714 | 1.50 Viola | 621/603 |
| 16 | 16 | Haller | Roy D. & Elizabeth B. | | | | | 1 A Viola | 662/168 |
| 16 | 17 | Davis | Morgan | P.O. Box 732 | Belpre | OH | 45712 | 1.50 | 174/178 |
| 16 | 18 | Consol Land Development Company | | 1800 Washington Road | Pittsburgh | PA | 15241 | 72.91 A Wheeling Creek J & J Realty Inc. Surface | 499/26 |
| 16 | 19 | Howard | Jack | 515 Tenth Street Apt. 308 | Moundsville | WV | 26041 | .785 A Viola | 420/556 |
| 16 | 20 | Wheeling Creek Watershed Comm. | | UNKNOWN | UNKNOWN | | | 73.362 Acres Viola | 429/102 |
| 16 | 21 | Haller | Roy D. & Elizabeth B. | | | | | .897 A Viola House & Mobile Home | 662/168 |
| 16 | 22 | Wheeling Creek Watershed Comm. | | UNKNOWN | UNKNOWN | | | 26.89 Viola | 429/727 |
| 16 | 23 | Wheeling Creek Watershed Comm. | | UNKNOWN | UNKNOWN | | | 67.07 Turkey Run | 429/730 |
| 16 | 24 | Olako | Thomas K. | P.O. Box 6580 | Wheeling | WV | 26003 | 2.50 Acres Viola | 663/264 |
| 16 | 25 | Olako | Thomas K. | P.O. Box 6580 | Wheeling | WV | 26003 | 1 A Viola | 663/264 |
| 16 | 26 | Olako | Thomas K. | P.O. Box 6580 | Wheeling | WV | 26003 | 84.77 Acres Viola McCulley | 663/264 |

EXHIBIT A - SURFACE TRACTS (SHOEMAKER MINE)
Tax Map 16, Sand Hill District, Marshall County, West Virginia

| Tax Map | Parcel | Last Name | First Name | Street Address | City | State | Zip | Assessment Description | Reference |
|---------|--------|-----------|-------------------------|----------------|-------------|-------|-------|---------------------------------|-----------|
| 16 | 27 | Hartley | Richard E., Sr., et ux. | RD 3 Box 168A | Wheeling | WV | 26003 | 5.08 WHG Creek 1960 Mobile Home | 640/490 |
| 16 | 28 | Hartley | Richard E., Sr., et ux. | RD 3 Box 168A | Wheeling | WV | 26003 | 3 Viola | 640/490 |
| 16 | 29 | Clemmons | James L. | 7487 Duke Road | Algonac | MI | 48001 | 1 Wheeling Creek | 543/109 |
| 16 | 30 | Clemmons | James L. | 7487 Duke Road | Algonac | MI | 48001 | 1.1 A Viola | 543/109 |
| 16 | 31 | Clemmons | James L. | 7487 Duke Road | Algonac | MI | 48001 | 2 Near Viola Camp | 576/253 |
| 16 | 32 | Clemmons | James L. | 7487 Duke Road | Algonac | MI | 48001 | 1 Acre WHG Road | 578/436 |
| 16 | 33 | Orum | John W. | P.O. Box 283 | Triadelphia | WV | 26059 | 3.75 4 Parcels Sandhill | 619/483 |

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 4th day of November 2008, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 19th day of December 2008 at 1:15 o'clock P. M.

TESTE: Jan Pest Clerk.